

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
KNOXVILLE DIVISION**

IN RE MILLER ENERGY RESOURCES,  
INC. SECURITIES LITIGATION

Civil Action No. 3:11-cv-386-TAV-CCS

**ORDER APPROVING DISTRIBUTION  
OF NET SETTLEMENT FUND**

This matter having come before the Court on Lead Plaintiff's Motion for Approval of Distribution of Net Settlement Fund ("Motion"), and the Court having considered the moving papers,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The motion is granted in its entirety;
2. Unless otherwise defined herein, all capitalized terms shall have the meaning set forth in the Notice Of (i) Proposed Settlement Of Class Action, (ii) Hearing On Proposed Settlement, and (iii) Deadline To Submit Proofs Of Claim, a copy of which was submitted to the Court as Exhibit 1 to the memorandum of law in support of the Motion;
3. The Court hereby approves the administrative recommendation by the Claims Administrator to reject the claims that the Claims Administrator determined to be wholly ineligible to participate in the Settlement or that otherwise involved deficient claim documentation, including claims that continued to have deficient documentation after an ample time to cure those deficiencies, as set forth on Exhibit C to the Ferrara Declaration;
4. The Court hereby authorizes the Claims Administrator to: (i) accept the otherwise eligible claims that were submitted after the claims submission deadline and that are listed on Exhibit C to the Ferrara Declaration, and to treat such claimants as Authorized Claimants in

accordance with the Plan of Allocation, and (ii) reject all proofs of claim submitted after the claims submission deadline that are not listed on Exhibit C to the Ferrara Declaration;

5. The Court hereby authorizes payment from the Settlement Fund of \$64,870.58 to the Claims Administrator as and for the balance of its fees and expenses for the administration;

6. The Court hereby authorizes distribution of the Net Settlement Fund to Authorized Claimants in accordance with the Plan of Allocation, on a *pro rata* basis based on the amounts of their Recognized Claims as calculated by the Claims Administrator and as set forth on Exhibit C to the Ferrara Declaration, except that the minimum distribution to any Authorized Claimants with any valid Recognized Loss amount shall be \$10.00;

7. For any funds remaining one year from the initial distribution of the Net Settlement Fund, after payment of claims administration costs as ordered herein, and after reasonable and diligent efforts by the Claims Administrator to contact claimants who have not cashed their payments, the Claims Administrator shall consult with Lead Counsel to determine if a redistribution of the remaining Net Settlement Fund to Class Members who cashed their initial distribution check is cost effective, after taking into consideration payment of any additional costs and expenses that would be associated with a redistribution, or if the balance will be disturbed cy pres;

8. The Court hereby authorizes the destruction of the paper copies of the proof of claim forms and related paper documentation one year after the final distribution of the Net Settlement Amount, and any electronic copies of those documents three years after the final distribution of the Net Settlement Amount; and

9. The Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and to grant such other and further relief as this Court deems appropriate.

ENTER:

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE